

NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF MARINE SAFETY
WASHINGTON, D.C.

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SELENDANG AYU :
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INTERVIEW OF CAPTAIN :
KAILASH SINGH :
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An interview in the above entitled matter was held
on Friday, December 17, 2004, commencing at 1 p.m., before:

ROB JONES, NTSB
BRIAN CURTIS, NTSB
SEAN MCPHILAMY, USGC
DARRELL HOWELLS, USCG
CAPTAIN LEW KWOK YUE, IMC SHIPPING

1 CAPTAIN KAILASH SINGH: Correct.

2 MR. JONES: And the original stoppage of the
3 engine was approximately what time?

4 CAPTAIN KAILASH SINGH: 10:00.

5 MR. JONES: Okay and we have testimony from other
6 crew members that indicated a different time, previous days.
7 How would they come about that time?

8 CAPTAIN KAILASH SINGH: Please state again, sir.

9 MR. JONES: At previous interviews the crew
10 members had indicated a time that you had previously
11 indicated of 12:00 for the stoppage of the engines and could
12 you tell us how those crew members came about that time?
13

13 CAPTAIN KAILASH SINGH: When I was rectifying the
14 other day when I had come for interview (indiscernible) when
15 I started my explanation I was going to explain to you that
16 what happened when I first came here (indiscernible) I was
17 very much under stress, lack of sleep and (indiscernible).
18 (Indiscernible) Seeing the ship (indiscernible) I started to
19 experience the (indiscernible) the topic of what it was. I
20 said what I was trying to explain to you (indiscernible)
21 loss in there but I thought I had to really explain to you
22 but I (indiscernible) put me on the tape. What
23 (indiscernible) I had spoken to the crew, who came into
24 (indiscernible). I spoken to the first guys on the ninth

1 morning. There were nine crew members who came, stayed with
2 (indiscernible) I told them I said (indiscernible) entered
3 stopping time entered 12:15 then I said I am going to
4 maintain that time when I go for the interview. Well I was
5 very uncomfortable, I didn't know (indiscernible) and I said
6 this is the time I'm going to maintain and they understood
7 what it meant by maintaining the time. So they, when they
8 came for the interview their time was around whatever time
9 you said you'd been getting. So then the second batch came
10 from Cutter. Same thing I spoke with them. I said I've
11 already spoken to the first batch (indiscernible) and I'm
12 speaking to you that (indiscernible) the morning that we
13 stopped I had entered the stopping time at 12:15. So then I
14 am, I have maintained that or I am going to maintain that
15 event in my meetings. So I said we need to (indiscernible),
16 be consistent with the time. Similarly, the same
17 (indiscernible) so they understood what I was trying to do.
18 That's correct. Then later on when I started to think, I
19 started realizing that stress was wearing off, was coming
20 back to normal so I lied just about that (indiscernible).
21 We're not going to lose much (indiscernible) false mis,
22 misleading, not misleading. Intention was not to mislead
23 but the reason I had only informed my choppers
24 (indiscernible) to come up with the correct time so before I
25 came to you, sir, on the 15th one hour before I spoke to

1 everybody I said I am going to the NTSB now, I'm going to
2 rectify my time and I'm going to explain to them so if you
3 are asked you must tell the, you must tell what time you
4 remember (indiscernible). So everybody was told, three of
5 these officers went with me, other people went on the
6 conference (indiscernible), they had already moved that
7 time. This one I have problems explaining to you
8 (indiscernible) I was not sure of all the experiences but
9 this is what I mean. They were doing (indiscernible)
10 document to be misleading or anything else where everybody
11 is concerned because we're not hiding anything. It is only
12 that I am (indiscernible).

13 MR. JONES: Okay Captain, Rob Jones again. Did
14 anyone talk to the Cadet that was injured in Anchorage?

15 CAPTAIN KAILASH SINGH: No sir, I had, I had
16 spoken to him briefly on conference call when he was in, he
17 was released from the hospital in front of everybody. All
18 crew was with me.

19 MR. JONES: Okay.

20 CAPTAIN KAILASH SINGH: I only, I said you are a
21 brave boy, you're a good son. (Indiscernible) any father
22 would want to have a son like you. The reason was that I
23 had put him in the first batch when the (indiscernible)
24 first batch, he said no sir, I'll stay back. I'll go in the
25 last batch with you. Then again I was just spoke these

1 words. Everybody else had a chance but beside that I didn't
2 speak to him.

3 MR. JONES: Okay. The message you sent to the
4 charters in regards to the position, do you remember what
5 time you sent that?

6 CAPTAIN KAILASH SINGH: By the time I sent the
7 message it was about 2 or 3 (indiscernible).

8 MR. JONES: So --

9 CAPTAIN KAILASH SINGH: That message contained
10 only one provision. (Indiscernible) later on in which I had
11 informed (indiscernible). (Indiscernible) ship had engine
12 trouble, ship was (indiscernible).

13 MR. JONES: Did the, the new position if it was a
14 problem seems to me you would have sent the message to the
15 charters prior to the engine failure.

16 CAPTAIN KAILASH SINGH: Can you repeat, sir?

17 MR. JONES: The, well, the message that you sent
18 to the charters regarding the new position, this is why you
19 said there was a new problem with the time.

20 CAPTAIN KAILASH SINGH: Yes, sir.

21 MR. JONES: And I would have thought you would
22 have sent that message prior to the engine failure to make,
23 to have it make a difference.

24 CAPTAIN KAILASH SINGH: I sent (indiscernible)
25 because I had decided I will show them at noon, stopping at

1 12:15. Sir, at noon time the provision I got back that
2 engine stopped, I said this is going to be the stopping
3 position and (indiscernible) charter that agent
4 (indiscernible). At that point of my appointment time the
5 ship (indiscernible). So I sent letters, 10:00, this is the
6 noon provision I sent to the charters. The ship is still
7 (indiscernible) last 24 hours and (indiscernible) let us
8 give them that message. But I did not mention that they
9 (indiscernible) I sent that message. In the next message I
10 said the ship had stopped and this is the entry time, this
11 is (indiscernible), that was second message. Then if I had
12 shown, stopping before (indiscernible) already stopped, sir.
13 (Indiscernible) time for the previous message.
14 (Indiscernible).

15 MR. JONES: Well I'll tell you what, let's revisit
16 a couple of other questions. I'm still not too sure on it
17 but we'll come back to it if I have a problem. What I'd
18 like to do now, Captain, is just take the log out and I just
19 want to clarify again this is might go to the position you
20 were just trying to describe but this was the log entry on
21 the 7th, on the 6th, I'm sorry.

22 CAPTAIN KAILASH SINGH: On the 6th.

23 MR. JONES: On the 6th. 12:15 the engine stopped
24 and this position here in relation to that time or the
25 actual time the engine stopped how does that compare?

1 CAPTAIN KAILASH SINGH: Sir, this is what time
2 (indiscernible) 12:15 I went 3 miles back, back
3 (indiscernible) so I said this is my note, that
4 (indiscernible) speed in the direction.

5 MR. JONES: Okay, so from the log position, from
6 noon on the 6th you went back along the charter --

7 CAPTAIN KAILASH SINGH: No, no, no, not noon.
8 Then I stopped, I said this is my position of engine
9 stoppage. That's the thing, (indiscernible).

10 MR. JONES: And is that this?

11 CAPTAIN KAILASH SINGH: No, no, no. This is here.
12 (Indiscernible) --

13 MR. JONES: Where is it? Okay.

14 CAPTAIN KAILASH SINGH: And then after this is
15 10:00. This one here. In the (indiscernible) about 12:15
16 more to, towards the back, more to the west, 3 miles more.

17 MR. JONES: Okay. All right.

18 CAPTAIN KAILASH SINGH: So this is the position,
19 which is (indiscernible) noon position because
20 (indiscernible).

21 MR. JONES: All right.

22 CAPTAIN KAILASH SINGH: I think you understand.
23 When I stopped (indiscernible) was with me. I said this is
24 our position. I said 4 north, we go back 3 miles from here.
25 We call the (indiscernible) so that noon isn't the

1 (indiscernible) but actually ship was 3 miles more due west
2 than (indiscernible).

3 MR. JONES: Okay. All right, Captain.

4 So I'll turn the questions over to Brian Curtis
5 right now.

6 MR. CURTIS: Captain, this is Brian Curtis.
7 Captain, you said you sent the charter message out at 14:30?

8 CAPTAIN KAILASH SINGH: Around about that. I
9 think it was about (indiscernible).

10 MR. CURTIS: Then you sent another message
11 indicating that you had stopped.

12 CAPTAIN KAILASH SINGH: That was around I think
13 25, (indiscernible).

14 MR. CURTIS: Around 17 (indiscernible).

15 CAPTAIN KAILASH SINGH: Around 17 I would think,
16 17, maybe 18.

17 MR. CURTIS: Okay, that's all I have right now.
18 Thank you.

19 MR. MCPHILAMY: Sorry, I'm slow at writing.

20 CAPTAIN KAILASH SINGH: Oh, that's all right.

21 MR. MCPHILAMY: Captain, this is Sean McPhilamy
22 with the U.S. Coast Guard. I very much appreciate your
23 patience. Please bear with me, sir.

24 CAPTAIN KAILASH SINGH: It was my duty, sir. We
25 need to clear whatever doubts, (indiscernible).

1 MR. MCPHILAMY: Reading the ship's log the noon
2 position is not the position, is it correct to say that the
3 ship's position is not the position that the ship actually
4 was at noon?

5 CAPTAIN KAILASH SINGH: That is correct.

6 MR. MCPHILAMY: Thank you. If I had the GPS book
7 and I looked at the noon position would that be the correct
8 position?

9 CAPTAIN KAILASH SINGH: No because those
10 positions, noon positions are there (indiscernible). If you
11 look at the GPS book you will have a correction, ship's
12 vision at 9:00 or 0900 hours. 0900 on the 6th.

13 MR. MCPHILAMY: 0900 --

14 CAPTAIN KAILASH SINGH: Before the problem
15 started.

16 MR. MCPHILAMY: Correct position?

17 CAPTAIN KAILASH SINGH: Yes, because
18 (indiscernible).

19 MR. MCPHILAMY: Yes.

20 CAPTAIN KAILASH SINGH: So if we have the GPS
21 logbook 9:00 will be the right (indiscernible) position
22 relation.

23 MR. MCPHILAMY: The GPS position, it would be
24 accurate?

25 CAPTAIN KAILASH SINGH: That is correct. All

1 positions at 8, 9, 10, 11 and (indiscernible) 7, 8, 9, after
2 9 then the first position (indiscernible) I sent the sheet
3 out to one of these people. (Indiscernible) and then this
4 position is something (indiscernible) move a little bit
5 further so that is the solution. But 9:00 position is
6 positively in the GPS log.

7 MR. CURTIS: GPS log is actually the GPS readout
8 at that time?

9 CAPTAIN KAILASH SINGH: That is correct. Actual.

10 MR. CURTIS: Actual?

11 CAPTAIN KAILASH SINGH: More (indiscernible)
12 nothing. Every hour.

13 MR. CURTIS: The -- did the GPS -- if I had the
14 GPS logbook in front of me do you remember are there any
15 entries after 9:00 on the 6th?

16 CAPTAIN KAILASH SINGH: I think no.

17 MR. CURTIS: Okay. I very much appreciate the
18 presence of this rough log.

19 CAPTAIN KAILASH SINGH: Yes, sir.

20 MR. CURTIS: I would like to ask if you can
21 explain to me more your reason to have the different times
22 and positions. Why do you do this?

23 CAPTAIN KAILASH SINGH: Yes, sir. You've got
24 (indiscernible) charters coming in.

25 MR. CURTIS: Yes. The charter is coming here?

1 CAPTAIN KAILASH SINGH: Yeah, I mean
2 (indiscernible) thing because I'm trying to adjust the
3 (indiscernible) and 10 miles wanted to keep (indiscernible)
4 in case there was (indiscernible). (Indiscernible) I just
5 wrote that and that charter position was (indiscernible)
6 noon time so I said on the board everything is okay,
7 (indiscernible) send the next message out. In the meantime
8 I note chief engineer about the weather progressing, all the
9 things are moving and then I'll positive message that we
10 have seen (indiscernible) managed things or whatever.
11 (Indiscernible.)

12 MR. CURTIS: On the 6th at 9 in the morning you
13 have a GPS logbook with an accurate position?

14 CAPTAIN KAILASH SINGH: Yes, sir.

15 MR. CURTIS: At that time do you recall the pocket
16 miles that you estimate? Were you further west or further
17 east than what you really were? Your GPS position?

18 CAPTAIN KAILASH SINGH: At 9:00?

19 MR. CURTIS: At 9:00. Would you pocket, would
20 your charter expect you to be further west or further east
21 from what you've been telling him?

22 CAPTAIN KAILASH SINGH: Oh, okay they will not
23 send me 33 miles back from the GPS position towards Seattle.

24 MR. CURTIS: Towards Seattle?

25 CAPTAIN KAILASH SINGH: Towards (indiscernible).

1 MR. CURTIS: So your real position was 23 miles
2 ahead of the charter's expectation?

3 CAPTAIN KAILASH SINGH: That is correct.

4 MR. CURTIS: Thank you.

5 I'd like to take a couple of minutes outside of
6 this discussion and go back to Seattle.

7 CAPTAIN KAILASH SINGH: All right, sir.

8 MR. CURTIS: Approximately do you recall the time
9 of arrival in Seattle?

10 CAPTAIN KAILASH SINGH: Seattle entrance?

11 MR. CURTIS: As in (indiscernible) any estimation,
12 any time.

13 CAPTAIN KAILASH SINGH: Should be around 22nd
14 morning, maybe 10:00 or could be noon time. I have
15 (indiscernible) hours so 6 for (indiscernible), any time
16 between, I think around 10:00 or 1100 hours, either one on
17 the 22nd.

18 MR. CURTIS: Anchorage in port --

19 CAPTAIN KAILASH SINGH: No, no, no.

20 MR. CURTIS: Sorry.

21 CAPTAIN KAILASH SINGH: Not anchorage, during
22 (indiscernible) whatever you call it. And then I have
23 another 65 or 70 miles to go to Port Angeles.

24 MR. CURTIS: Yes.

25 CAPTAIN KAILASH SINGH: From Port Angeles we have

1 another 5-6 hours by (indiscernible). I arrived at
2 Anchorage around 2200.

3 MR. CURTIS: 2200 hours?

4 CAPTAIN KAILASH SINGH: On the 22nd of November.

5 MR. CURTIS: After Anchorage in Seattle what was
6 your next operation?

7 CAPTAIN KAILASH SINGH: We took bunkers.

8 MR. CURTIS: From the location of at anchor or
9 to --

10 CAPTAIN KAILASH SINGH: No, at anchor.

11 MR. CURTIS: At anchor?

12 CAPTAIN KAILASH SINGH: When I took
13 (indiscernible) approaching the ship or (indiscernible).

14 MR. CURTIS: 2300 hours on the 22nd?

15 CAPTAIN KAILASH SINGH: On the 22.

16 MR. CURTIS: Approximately how long did bunkers
17 take?

18 CAPTAIN KAILASH SINGH: Bunkers were
19 (indiscernible) next morning around 5 or 6:00. 5 or 6 in
20 the morning.

21 MR. CURTIS: In the morning of the 23nd?

22 CAPTAIN KAILASH SINGH: 23. And (indiscernible)
23 around 8:00. They had some shift changes. They kept the
24 line on the ship and then they went away at 8:00.

25 MR. CURTIS: And approximately how much was taken

1 on board?

2 CAPTAIN KAILASH SINGH: 1,000 tons. Only fuel
3 oil.

4 MR. CURTIS: Only fuel oil. After 8 a.m. on the
5 23 what happened?

6 CAPTAIN KAILASH SINGH: Then around 10:00, 9:30 we
7 had more (indiscernible) can to inspect the car for
8 (indiscernible).

9 MR. CURTIS: Were there any discrepancies or
10 problems?

11 CAPTAIN KAILASH SINGH: Regarding?

12 MR. CURTIS: The cargo hold inspection?

13 CAPTAIN KAILASH SINGH: No, no. We pass this
14 around noon time or soon after that.

15 MR. CURTIS: And after this time what happened
16 please?

17 CAPTAIN KAILASH SINGH: Then he, I think 10:40
18 (indiscernible) they want to maintain the ship. One ship
19 was already coming out and they took us (indiscernible) ship
20 then they change (indiscernible) made them disappear where
21 to go from. So (indiscernible) we were just waiting. If we
22 pass then they will take the ship. Otherwise our time will
23 be cancelled. So we passed the (indiscernible) and we went
24 directly to alongside.

25 MR. CURTIS: Alongside at what location?

1 CAPTAIN KAILASH SINGH: (Indiscernible) I don't
2 remember the exact, (indiscernible) LDC 8 6.
3 MR. CURTIS: LDC 86 birth.
4 CAPTAIN KAILASH SINGH: 86, yes, number 8 6.
5 MR. CURTIS: Number 86.
6 CAPTAIN KAILASH SINGH: Not 86, 8 6.
7 MR. CURTIS: Ah, 8 6. Thank you.
8 CAPTAIN KAILASH SINGH: (Indiscernible)
9 cooperation of it.
10 MR. CURTIS: Thank you.
11 And approximately what time were you tied up?
12 CAPTAIN KAILASH SINGH: Probably 13 something,
13 close to 1400 hours.
14 MR. CURTIS: That's okay, estimation?
15 CAPTAIN KAILASH SINGH: (Indiscernible.)
16 MR. CURTIS: And did you begin cargo operations at
17 that point?
18 CAPTAIN KAILASH SINGH: Then we did some arrival
19 formalities. It looks like around 1500 hours, we, 15 or
20 1800, I'm not sure what time we started loading.
21 MR. CURTIS: How did the loading go?
22 CAPTAIN KAILASH SINGH: They were (indiscernible)
23 we started loading, the rain came and then nothing much
24 happened for the next few (indiscernible).
25 MR. CURTIS: At this time had Coast Guard been on

1 board or --

2 CAPTAIN KAILASH SINGH: Coast Guard, they came on
3 24 morning, 8:00 sharp.

4 MR. CURTIS: And this was during the rain
5 interruption?

6 CAPTAIN KAILASH SINGH: I think that we were,
7 (indiscernible) were going on the ship while we were loading
8 the deck.

9 MR. CURTIS: Okay. Had any other Government
10 personnel been on board?

11 CAPTAIN KAILASH SINGH: (Indiscernible) control
12 inspection and also the (indiscernible) ISBS too.

13 MR. CURTIS: Coast Guard did?

14 CAPTAIN KAILASH SINGH: Coast Guard did. Then in
15 the evening the UE of shipping, (indiscernible), they check
16 for (indiscernible). (Indiscernible) he came on the phone
17 and then he came in the evening and then secondly one more
18 of shipping (indiscernible) department regarding the
19 verification of our procedures in (indiscernible) he took
20 some samples.

21 MR. CURTIS: Any discrepancies?

22 CAPTAIN KAILASH SINGH: No, sir. They're very
23 thorough (indiscernible) to check our records, plus they
24 took samples.

25 MR. CURTIS: And after this, on the -- is this the

1 25th now?

2 CAPTAIN KAILASH SINGH: After 25 I think there
3 were no more inspections.

4 MR. CURTIS: Everything clear?

5 CAPTAIN KAILASH SINGH: Yes.

6 MR. CURTIS: Did the crew have opportunity to go
7 ashore?

8 CAPTAIN KAILASH SINGH: Crew went ashore. I think
9 everybody had a chance.

10 MR. CURTIS: Everybody went to shore?

11 CAPTAIN KAILASH SINGH: Except four of us. We had
12 been USB (indiscernible) myself, chief engineer, electrical
13 officer and one (indiscernible). Everybody else had a
14 chance and went to shore.

15 MR. CURTIS: Good time or any problems?

16 CAPTAIN KAILASH SINGH: They are all enjoyed.

17 MR. CURTIS: All enjoyed.

18 CAPTAIN KAILASH SINGH: They all had visas,
19 (indiscernible) for some time because we were there until
20 the 28. Everybody had a chance.

21 MR. CURTIS: And any problems at all?

22 CAPTAIN KAILASH SINGH: No, sir.

23 MR. CURTIS: Any concerns?

24 CAPTAIN KAILASH SINGH: None whatsoever. In fact
25 we were very clear that everything had gone good. We had

1 passed the (indiscernible) inspection (indiscernible). No
2 concerns that day.

3 MR. CURTIS: Any during that time some --

4 CAPTAIN KAILASH SINGH: One technician, I'm sorry.

5 MR. CURTIS: Yes?

6 CAPTAIN KAILASH SINGH: He was (indiscernible)
7 clarify. From my (indiscernible). He came early on the
8 27th. 27th in the morning, I believe it was 10:00, he came
9 in the evening and (indiscernible). I think it was 27th.

10 MR. CURTIS: Thank you, sir.

11 MR. JONES: Mr. Howells?

12 MR. HOWELLS: Captain, I just want to kind of go
13 through some of your thought processes the day of the 6, 7
14 (indiscernible) weather, how does it work on your ship? Do
15 you get weather facts periodically? Do you, how do you
16 learn the weather?

17 CAPTAIN KAILASH SINGH: We get a report off the
18 weather boat on the master sea and then we have weather map
19 and then we have the lead, they advise every third
20 (indiscernible) Marine Corp that encountered (indiscernible)
21 whatever is action (indiscernible).

22 MR. HOWELLS: So every 12 hours you get weather
23 reports from the company, you said?

24 CAPTAIN KAILASH SINGH: No, no this is what our
25 portion of (indiscernible). However they used to update it

1 sometime they (indiscernible) sometimes every two hours.
2 (Indiscernible) if there are any change they come back after
3 three days and change it. But they will give me forecast
4 for this almost five days, four to five days.

5 MR. HOWELLS: So you're saying that you get a
6 forecast for five days?

7 CAPTAIN KAILASH SINGH: That's right.

8 MR. HOWELLS: And then --

9 CAPTAIN KAILASH SINGH: Starting from the time
10 they sent the report.

11 MR. HOWELLS: Did you feel comfortable with how
12 often you're getting weather?

13 CAPTAIN KAILASH SINGH: That's right.

14 MR. HOWELLS: You were comfortable with that?

15 Okay so did the five day forecast, that happens every day?

16 CAPTAIN KAILASH SINGH: Not sometimes after 24, 48
17 hours they give.

18 MR. HOWELLS: So every two days you get a five day
19 forecast?

20 CAPTAIN KAILASH SINGH: That's right. Starting
21 from the day when the message was related, that time ten
22 days onwards. So that means from --

23 MR. HOWELLS: So you feel that you had good handle
24 on the weather?

25 CAPTAIN KAILASH SINGH: That's right.

1 MR. HOWELLS: So if I understand correctly it was
2 approximately, it was approximately 13 hours from the time
3 of the breakdown until you contacted the harbor minister.
4 Is that correct?

5 CAPTAIN KAILASH SINGH: When I spoke to him it was
6 00, 00450 (indiscernible) when I spoke to him on the
7 telephone. He says stop engines at 10 or (indiscernible).
8 We spoke with him, (indiscernible) 13 hours.

9 MR. HOWELLS: Okay. My question is why 13 hours.

10 CAPTAIN KAILASH SINGH: I started calling them
11 around 2100 hours on the VHF, channel 16. And until about
12 17 or 1800 hours the (indiscernible) the ship, she was going
13 back on the deck. Not (indiscernible) they were just back
14 on the (indiscernible).

15 MR. HOWELLS: So you started trying to call on the
16 V --

17 CAPTAIN KAILASH SINGH: VHF.

18 MR. HOWELLS: -- HF

19 CAPTAIN KAILASH SINGH: Channel 16.

20 MR. HOWELLS: At approximately --

21 CAPTAIN KAILASH SINGH: About 2100 hours.

22 MR. HOWELLS: 2100 hours. So that, that makes it
23 more --

24 CAPTAIN KAILASH SINGH: About 9 hours?

25 MR. HOWELLS: Yeah 9 hours, okay. Do you recall

1 how long it took to get the cylinder isolated?

2 CAPTAIN KAILASH SINGH: After 1900 or so. When we
3 started (indiscernible).

4 MR. HOWELLS: Okay. So at approximately 1000
5 hours the engine stopped?

6 CAPTAIN KAILASH SINGH: Yes, sir.

7 MR. HOWELLS: They worked on it until 1900 hours?

8 CAPTAIN KAILASH SINGH: First we were going on the
9 (indiscernible) regarding the removal of (indiscernible).

10 MR. HOWELLS: Okay. So did it take a couple of
11 hours to try --

12 CAPTAIN KAILASH SINGH: That is correct.

13 MR. HOWELLS: -- what action to take?

14 CAPTAIN KAILASH SINGH: (Indiscernible.)

15 MR. HOWELLS: Okay. Now in that time was there
16 correspondence between the ship and shore?

17 CAPTAIN KAILASH SINGH: We spoke on the phone with
18 the superintendent that we have engine trouble.

19 MR. HOWELLS: Okay. So approximately 1200 hours
20 the work began, is that correct? A decision was made which
21 way to go?

22 CAPTAIN KAILASH SINGH: Well we did have closer to
23 2800 hours that we were, that we were not moving the liner
24 or the tank. (Indiscernible) the man is coming for
25 isolating the unit on and then we isolated the unit and we

1 had a problem.

2 MR. HOWELLS: So at about 1300 a decision was made
3 to isolate the unit and not replace the liner --

4 CAPTAIN KAILASH SINGH: No.

5 MR. HOWELLS: -- and then go to Dutch Harbor --

6 CAPTAIN KAILASH SINGH: (Indiscernible) it could
7 be about 13, 13, 14 hours, 1400 hours.

8 MR. HOWELLS: So, so do I understand correctly did
9 they start the work at maybe about 1400?

10 CAPTAIN KAILASH SINGH: Possibly.

11 MR. HOWELLS: Okay. So once they started do you
12 recall what time they tried to start it for the first time
13 after the unit was isolated?

14 CAPTAIN KAILASH SINGH: We could have taken about
15 a couple of hours time, starting, not, not starting
16 (indiscernible) probably from 1900 to 2100 hours they were
17 trying several times.

18 MR. HOWELLS: Okay. So what you're saying is
19 between 1900 and 21 they were trying to get it started?

20 CAPTAIN KAILASH SINGH: That is correct.

21 MR. HOWELLS: Start to stop.

22 CAPTAIN KAILASH SINGH: (Indiscernible.) After
23 each time we were like explaining that each time they tried
24 chief engineer said number 3 unit is coming on the bay
25 (indiscernible). That sequence I think --

1 MR. HOWELLS: I understand.

2 CAPTAIN KAILASH SINGH: (Indiscernible) it was
3 actually. The (indiscernible) timing gear, maybe half a
4 time or three quarter of a time again starting
5 (indiscernible).

6 MR. HOWELLS: So am I correct in saying that 2
7 hours after the engine wouldn't start you made, you started
8 calling on VHF?

9 CAPTAIN KAILASH SINGH: We were just checking
10 (indiscernible).

11 MR. HOWELLS: Okay. So what made you decide to
12 call Dutch Harbor?

13 CAPTAIN KAILASH SINGH: That time we started
14 having tendency of going towards (indiscernible).

15 MR. HOWELLS: Okay. So is it correct that you
16 were monitoring your position, the engine wouldn't start --

17 CAPTAIN KAILASH SINGH: That is correct, sir.

18 MR. HOWELLS: And you noticed that you were headed
19 towards (indiscernible) so you called Dutch Harbor?

20 CAPTAIN KAILASH SINGH: That is correct.

21 MR. HOWELLS: Okay.

22 CAPTAIN KAILASH SINGH: But I was still hopeful
23 there's (indiscernible).

24 MR. HOWELLS: Okay. When you called Dutch Harbor
25 what, what were you, what was your intent? Why were you

1 calling them?

2 CAPTAIN KAILASH SINGH: At that time that I need,
3 I will (indiscernible) assistant and my engine are
4 (indiscernible), I have an engine problem, I'm
5 (indiscernible) my position is so and so.

6 MR. HOWELLS: Okay. So you were trying to call
7 them about 2100 on the VHF?

8 CAPTAIN KAILASH SINGH: That is correct.

9 MR. HOWELLS: So for the next four hours you
10 couldn't get anyone. Is that correct?

11 CAPTAIN KAILASH SINGH: We couldn't get
12 (indiscernible) one time I heard somebody but I don't know
13 what he said and then nobody (indiscernible) nobody
14 interfered.

15 MR. HOWELLS: We were aware of what, what
16 (indiscernible) or what resources were (indiscernible)?

17 CAPTAIN KAILASH SINGH: I had read (indiscernible)
18 that there is, there is a (indiscernible) at service company
19 named Padilla.

20 MR. HOWELLS: Could you spell that, please?

21 CAPTAIN KAILASH SINGH: (Indiscernible) India Lima
22 Lima (indiscernible). (Indiscernible) but this one I had
23 record that's when the engine stopped the chief had told me
24 engine had broken down. First I (indiscernible) let me see,
25 (indiscernible) in case we had to go. (Indiscernible) of

1 the river and the senses about 110-115 miles. That's how.

2 MR. HOWELLS: What was the name of the book again?

3 The guide to --

4 CAPTAIN KAILASH SINGH: Port entry.

5 MR. HOWELLS: Port entry. Okay, in that book and
6 it said you read that it had tug service?

7 CAPTAIN KAILASH SINGH: Tug service. They said
8 the tug company is there.

9 MR. HOWELLS: Okay, the tug company. Did it say
10 how large the tug was?

11 CAPTAIN KAILASH SINGH: I mean I don't remember
12 the detail now. I believe they said one or two tons I
13 think.

14 MR. HOWELLS: Okay. What was your expectation?
15 You called to get a tug. In your mind there were tugs here
16 to come help you?

17 CAPTAIN KAILASH SINGH: That's right.

18 MR. HOWELLS: The four hours from the time that
19 you were trying to call the VHF to the time that you got
20 someone on the radio, sorry, the phone, do you know what the
21 engineers were doing at that time?

22 CAPTAIN KAILASH SINGH: No they're, my
23 superintendent was in touch with me. She said why is this
24 taking so long. I said we were trying in my head to
25 understand engine is on fire. Then he, then he said okay,

1 the chief engineer gave me all the steps. Sent by email,
2 (indiscernible) isolation.

3 MR. HOWELLS: I lost my train of thought. Just a
4 second. Oh, okay let's, we're going to jump ahead to the
5 rescue. How many survival suits are on your ship?

6 CAPTAIN KAILASH SINGH: Three.

7 MR. HOWELLS: Three. Okay. Did anyone ever put
8 those on?

9 CAPTAIN KAILASH SINGH: No, sir.

10 MR. HOWELLS: Can you tell me why?

11 CAPTAIN KAILASH SINGH: Sir, the reason is that we
12 had (indiscernible) to nine persons in the first
13 (indiscernible) and then eight, he is (indiscernible) eight
14 of us. No, the thing is that how to, how to give, who is to
15 be selected now that we would have three? Other people
16 would, they will tell me that. Why not me?

17 MR. HOWELLS: Okay. Was there --

18 CAPTAIN KAILASH SINGH: I must have, either I must
19 have one for everybody.

20 MR. HOWELLS: Was this a discussion or --

21 CAPTAIN KAILASH SINGH: No, we had discussed how
22 many survival suits are left. Even somebody called me, I
23 believe (indiscernible) do you have emergency suits
24 somewhere, okay.

25 MR. HOWELLS: So was it a group consensus, no one

1 was to put one on? How did that factor in? I understand
2 what you're saying that, you know how do you pick which
3 three get suits. But who decided not to put them on or how
4 did that happen?

5 CAPTAIN KAILASH SINGH: No, because we discussed
6 this (indiscernible) that we only have three. And we did
7 not have any concern that who really was out or
8 (indiscernible).

9 MR. HOWELLS: Okay. I'm not following you,
10 Captain. I'm sorry, I don't understand.

11 CAPTAIN KAILASH SINGH: Do you want me to say it
12 again?

13 MR. HOWELLS: Yeah, if you can.

14 CAPTAIN KAILASH SINGH: Okay. Thing is because in
15 the first batch I have eight, nine persons. Again in the
16 second batch I have nine persons.

17 MR. HOWELLS: Yes, sir.

18 CAPTAIN KAILASH SINGH: In the third batch I have
19 eight persons. And I have only three emergency suits on
20 board.

21 MR. HOWELLS: Yes, sir.

22 CAPTAIN KAILASH SINGH: So I, I did not, only the
23 chief officer (indiscernible) same time discussing we have
24 only three. So I didn't think it was an issue that could be
25 used and with all the nine people.

1 MR. HOWELLS: Okay. Okay so the discussion was
2 between the, you and the chief?

3 CAPTAIN KAILASH SINGH: Even chief engineer was
4 saying three emergency suits are there.

5 MR. HOWELLS: Okay. Did the rest of the crew
6 talk, were they in that group --

7 CAPTAIN KAILASH SINGH: They were standing over
8 there with us.

9 MR. HOWELLS: So all of you were discussing it?

10 CAPTAIN KAILASH SINGH: That there were only three
11 suits.

12 MR. HOWELLS: Okay. So am I correct in saying
13 that you didn't have a way to decide who and because nobody,
14 and because there was not one for everyone --

15 CAPTAIN KAILASH SINGH: That's right.

16 MR. HOWELLS: Nobody put one on? Is that correct?

17 CAPTAIN KAILASH SINGH: That is the main reason.
18 And we had, on (indiscernible) but we all had life jackets
19 on.

20 MR. HOWELLS: Okay. One of the things I forgot to
21 write down earlier was how long have you been sailing as
22 captain?

23 CAPTAIN KAILASH SINGH: Since '87, 1987.

24 MR. HOWELLS: Did you or anyone from your company
25 ask the Coast Guard to quit calling you a lot? Did you feel

1 that you were being called frequently by the Coast Guard?

2 CAPTAIN KAILASH SINGH: They were in touch with me
3 on an hourly basis.

4 MR. HOWELLS: Okay. Did it ever annoy you that
5 they were calling you?

6 CAPTAIN KAILASH SINGH: No, not at all.

7 MR. HOWELLS: Did you ever ask, ask anyone to ask
8 the Coast Guard to quit calling you?

9 CAPTAIN KAILASH SINGH: No. (Indiscernible)
10 either I was calling them or they call me, every hour on the
11 hour.

12 MR. HOWELLS: Okay. It was my understanding that
13 the Coast Guard was asked by someone, I don't know who, to
14 quit calling you because it was bothering you.

15 CAPTAIN KAILASH SINGH: No.

16 MR. HOWELLS: That's what I'm trying to find out.

17 CAPTAIN KAILASH SINGH: No, not at all. In fact
18 they were calling me all the time on the telephone.

19 MR. HOWELLS: Okay, just on the telephone?

20 CAPTAIN KAILASH SINGH: On the telephone all the
21 time.

22 MR. HOWELLS: The lady?

23 CAPTAIN KAILASH SINGH: No, the lady and General
24 Edward. Two different ladies and one general.

25 MR. HOWELLS: Okay. That's all I have. Thank

1 you.

2 MR. LEW: Captain Lew here. Captain, on the 6th
3 morning when your engine stopped you had the (indiscernible)
4 of 22 knots. At that time I wish to recall further with you
5 again that you wanted to use this 23 miles because you asked
6 the coordinates that the engine can be repaired and resume
7 voyage and pick up for the loss of distance. Is that
8 correct?

9 CAPTAIN KAILASH SINGH: Can you repeat?

10 MR. LEW: I rephrase it one more time. On the 6th
11 morning when the engine stopped you had 23 pocket, 23 miles
12 in your pocket. You had your confidence in you that engine
13 was able to be fixed and that the ship was able to repair
14 and resume voyage.

15 CAPTAIN KAILASH SINGH: No, I'm not sure they were
16 able to fix the engine by noon time. I said I have these
17 (indiscernible) right now. I will use it now and show where
18 the provision is that whatever (indiscernible) during the
19 ten, 10.6 miles or just (indiscernible) 33 miles we had.
20 (Indiscernible) five miles every speed. So I
21 (indiscernible) take a little bit more than two hours so I
22 just put them in to the (indiscernible) stopping provision.
23 If I just correct (indiscernible) I would have put it down.
24 So (indiscernible) only the time (indiscernible) that I
25 will use it now. And I'm going to ensure that the ship is

1 still going three miles back, no.

2 MR. LEW: After faulting on the position and
3 reporting to the charterers you did not feel the ship was in
4 any danger at all?

5 CAPTAIN KAILASH SINGH: No because I was very
6 confident that we would be able to fix it by isolating unit
7 (indiscernible).

8 MR. LEW: At the actual noon time the vessel
9 position was plotted. Between the time of stoppage noon
10 time (indiscernible) of the vessel was in which direction?

11 CAPTAIN KAILASH SINGH: It was around
12 (indiscernible). I was, before stopping I was heading in
13 (indiscernible) direction.

14 MR. LEW: Mr. Jones, can I use the chart --

15 MR. JONES: Yes.

16 MR. LEW: -- to indicate?

17 On the chart position plotted these four, this
18 position which we have obtained, am I correct?

19 CAPTAIN KAILASH SINGH: That's correct.

20 MR. LEW: Which means at the time of stoppage to
21 the noon position itself where was the vessel moving?

22 CAPTAIN KAILASH SINGH: (Indiscernible) we stopped
23 there. I told (indiscernible) that's why. And obviously
24 ship had a little bit momentum at that time. And by the
25 time we finally stopped ship (indiscernible). But then

1 (indiscernible) were floating in opposite position, we were
2 going in the reverse direction. And then after 7-800 hours
3 the (indiscernible) ship came here. So this is my course.
4 (Indiscernible) course, I was heading in there.

5 MR. LEW: Which means you were on the easterly
6 set.

7 CAPTAIN KAILASH SINGH: Yeah, that is correct.
8 Along, different bank on the (indiscernible).

9 MR. LEW: At noon time how far were you from Dutch
10 Harbor itself?

11 CAPTAIN KAILASH SINGH: Noon time, that's, I was
12 there. Noon time would be here. Noon time should be here
13 but this is (indiscernible) so noon time I was here.

14 MR. LEW: 1, 2 (indiscernible) --

15 MR. JONES: I think we could say approximately --

16 CAPTAIN KAILASH SINGH: (Indiscernible) miles.

17 MR. JONES: 1900 miles.

18 MR. LEW: (Indiscernible.)

19 MR. HOWELLS: (Indiscernible?)

20 MR. JONES: Sure.

21 CAPTAIN KAILASH SINGH: I think it's on there. 61
22 miles, 260 miles. (Indiscernible) 98 miles.

23 MR. LEW: 100 miles less.

24 MR. JONES: Approximately 100 miles back to that
25 charter.

1 MR. LEW: Under 100 miles.

2 At that time you did not think the ship was in any
3 danger at all?

4 CAPTAIN KAILASH SINGH: No, we are just going and
5 staying clear and going around the coast to get back on
6 track. But of course not like this.

7 MR. LEW: Was any ship around?

8 CAPTAIN KAILASH SINGH: Not in the, not in the
9 (indiscernible), no.

10 MR. LEW: A danger (indiscernible)?

11 CAPTAIN KAILASH SINGH: No. I didn't know that
12 any --

13 MR. LEE: Did you not sent a (indiscernible)
14 message up to advise any ships that you had been
15 immobilized?

16 CAPTAIN KAILASH SINGH: No, because I had no
17 concern there was no shipping in the vicinity
18 (indiscernible).

19 MR. LEW: After (indiscernible) was it visually
20 (indiscernible)?

21 CAPTAIN KAILASH SINGH: No, I had my automatic
22 (indiscernible) system in operation. So that kept, whatever
23 ships (indiscernible) call sign they rang their distance
24 off.

25 MR. LEW: At what time did you realize that you

1 were no long settling 15 easterly (indiscernible) direction?

2 CAPTAIN KAILASH SINGH: It came, started becoming
3 clear when I came at 1800 hours. There (indiscernible) from
4 1800 hours (indiscernible). (Indiscernible) and 1800 came
5 down.

6 MR. LEW: At 1800 the attempt was, the attempt to
7 remove the liner was already forsaken? The decision to
8 isolate the unit was made.

9 CAPTAIN KAILASH SINGH: That is correct. Then by
10 1900 hours or so we had already completed isolating the
11 unit. (Indiscernible.)

12 MR. LEW: During this time at 1900 has it occurred
13 to you to contact any ships or any call station at all
14 still?

15 CAPTAIN KAILASH SINGH: (Indiscernible.) Chief
16 engineer said (indiscernible) he ready to restart after
17 isolating (indiscernible) head back to the --

18 MR. LEW: Which was at 1900 the engine start to
19 (indiscernible) --

20 CAPTAIN KAILASH SINGH: That is right.

21 MR. LEW: -- that by isolating number 3 unit you
22 will be able to proceed at reduced speed --

23 CAPTAIN KAILASH SINGH: That is right.

24 MR. LEW: -- to a safe place --

25 CAPTAIN KAILASH SINGH: Yeah, that is right.

1 MR. LEW: -- to repair the engine?

2 CAPTAIN KAILASH SINGH: That is correct.

3 MR. LEW: Unfortunately you did not?

4 CAPTAIN KAILASH SINGH: Yeah, we spent another
5 couple of hours trying (indiscernible) after that we got in
6 touch with the (indiscernible).

7 MR. LEW: So when you are unable to start the
8 engine what was our concern?

9 CAPTAIN KAILASH SINGH: Then we asked
10 (indiscernible) advice.

11 MR. JONES: Who's advice?

12 CAPTAIN KAILASH SINGH: (Indiscernible.)

13 MR. LEW: Did you try contacting any call station
14 to advise them of your vessel's drift?

15 CAPTAIN KAILASH SINGH: No. I tried to contact
16 the tower master's office at 2100 hours but I was still
17 aware (indiscernible). At 2100 hours I started calling,
18 ringing the (indiscernible) master's office, Dutch Harbor at
19 this position.

20 MR. LEE: And you remember when you came into
21 communication with the U.S. Cutter Alex Hailey?

22 CAPTAIN KAILASH SINGH: I knew that
23 (indiscernible) this time because U.S. (Indiscernible) he
24 told me that Cutter is already going. It was, it was early
25 in the morning on, on the 7th. They gave me the idea of

1 (indiscernible) finally at 10:00, around 10:00 Alex Hailey
2 was already there.

3 MR. LEE: Okay. I would like to go back again.
4 When you first made contact with Dutch Harbor on land line,
5 how far were you from Dutch Harbor?

6 CAPTAIN KAILASH SINGH: When, okay when I made
7 first contact?

8 MR. LEE: At 20 --

9 CAPTAIN KAILASH SINGH: No, around (indiscernible)
10 0050.

11 MR. LEE: After midnight, 1:00?

12 (Indiscernible.)

13 CAPTAIN KAILASH SINGH: Maybe three miles.

14 MR. LEE: 3 miles? And how far were you from
15 (indiscernible) of island?

16 CAPTAIN KAILASH SINGH: 27 miles.

17 MR. LEE: Was your concern for mainly
18 (indiscernible) Island avoidance or was it concern that you
19 wished to get (indiscernible) to Dutch Harbor or was it a
20 combination of both --

21 CAPTAIN KAILASH SINGH: Combination of both in
22 case I ran in the (indiscernible) because I can't
23 (indiscernible) and I need to go there. Of course my first
24 concern was clearing this island. Second concern was going
25 to the port and (indiscernible) getting repairs.

1 (Indiscernible.)

2 MR. LEE: So during this time on the noon to the
3 evening hour on the 2100 the weather condition can you
4 please again describe or clarify?

5 CAPTAIN KAILASH SINGH: (Indiscernible?)

6 MR. LEE: From noon until here.

7 CAPTAIN KAILASH SINGH: The weather condition is
8 getting worse.

9 MR. LEE: And from here to the time when you made
10 contact with Dutch Harbor at 1:00 --

11 CAPTAIN KAILASH SINGH: The weather is getting bad
12 (indiscernible).

13 MR. LEE: When did the Sidney Foss arrive?

14 CAPTAIN KAILASH SINGH: The Sidney Foss arrived
15 here. At about 16:30 here.

16 MR. LEE: And the position which --

17 CAPTAIN KAILASH SINGH: Around 16:30 she came.

18 MR. LEE: (Indiscernible) --

19 CAPTAIN KAILASH SINGH: (Indiscernible) I was only
20 clear of this time but that time the Alex Hailey was already
21 standing by. She was around me all the time. She came from
22 there. She was taking me (indiscernible).

23 MR. LEE: At what time was that tug line made?

24 CAPTAIN KAILASH SINGH: At 20:05, somewhere here.

25 MR. LEE: And how far was this from the ground

1 position?

2 CAPTAIN KAILASH SINGH: 30 miles (indiscernible).

3 MR. LEE: From then you must be measuring the rate
4 of drift before the (indiscernible) was made and the rate of
5 drift after the tug was made?

6 CAPTAIN KAILASH SINGH: Yeah it was given in the
7 papers (indiscernible).

8 MR. LEE: Did it not occur to you or
9 (indiscernible) that the presence of one (indiscernible) to
10 move the vessel from drifting further?

11 CAPTAIN KAILASH SINGH: No I, it became clear to
12 me in the morning that (indiscernible) putting me into the
13 (indiscernible). It is from midnight hour they made some
14 difference, direction was changing so he was saying
15 (indiscernible) better distance. If I had got too much at
16 this I try to go (indiscernible).

17 MR. LEE: Are you aware of the second
18 (indiscernible) that is being called upon to assist you?

19 CAPTAIN KAILASH SINGH: I knew Redeemer was in the
20 vicinity, Redeemer but that was more cruise ship purposes.

21 MR. LEW: We interviewed the captain of James
22 Dunlap and we were advised that he had, James Dunlap had
23 contacted the vessel.

24 CAPTAIN KAILASH SINGH: No. No contact was made,
25 (indiscernible). This I came to know there's

1 (indiscernible) conversation in one office. The officer when
2 the emergency became (indiscernible). Then I, I had heard
3 this something (indiscernible) with Sidney Foss and Dunlap I
4 said I have heard that they was a (indiscernible) by the
5 name of James Dunlap but (indiscernible). (Indiscernible)
6 James Dunlap when they arrived and (indiscernible).

7 MR. LEW: When you are aware of James Dunlap's
8 presence did you not call James Dunlap to come assist you?

9 CAPTAIN KAILASH SINGH: They were already in
10 contact with each other. Because I had asked after
11 (indiscernible) 6:30 I spoke to Sidney Foss I said we are
12 still coasting to the coast, or if we (indiscernible) at
13 that time I had Redeemer in mind.

14 MR. LEW: Which means you were more constantly in
15 touch with Sidney Foss than --

16 CAPTAIN KAILASH SINGH: (Indiscernible) Sidney
17 Foss or the Alex Hailey.

18 MR. LEW: Okay. Thank you. I don't have any more
19 questions.

20 MR. JONES: Captain, I just have one question.
21 This is Rob Jones. When you tried to call Dutch Harbor on
22 the VHF you must have been concerned, that's why you picked
23 up the phone, the radio and tried to call Dutch Harbor?

24 CAPTAIN KAILASH SINGH: That's right.

25 MR. JONES: And how long approximately before you

1 picked the Mariset phone?

2 CAPTAIN KAILASH SINGH: I picked the Mariset phone
3 after, after midnight. I just (indiscernible) 0050 finally.
4 0050.

5 MR. JONES: And the first time you were trying on
6 the VHF was around 2100?

7 CAPTAIN KAILASH SINGH: 2100.

8 MR. JONES: So you felt concerned enough to call
9 over VHF but with no answer and with Mariset aboard why
10 didn't you try the Mariset right away at 2100?

11 CAPTAIN KAILASH SINGH: I was, (indiscernible)
12 some time before, (indiscernible) around 30 minutes we kept
13 repeatedly calling. That time I didn't have his number with
14 me. Therefore I called to call entry, I was contacting
15 channel 16 with (indiscernible) plus that time it was, we
16 were also confident that we were getting (indiscernible) and
17 when I said okay, (indiscernible) I should have
18 (indiscernible) then I started looking up to find the
19 telephone number of the Harbor Master. Then my
20 (indiscernible) got the number (indiscernible).

21 MR. JONES: Okay. Under your (indiscernible) and
22 we've asked for that, we'll take a look at it, isn't there a
23 contingency for, contingency ports with regards to voyage
24 planning?

25 CAPTAIN KAILASH SINGH: Contingency ports?

1 MR. JONES: Ports along the track, not that you're
2 planning on going to them but they can be used in an
3 emergency such as what has happened here.

4 CAPTAIN KAILASH SINGH: This is, we know that we
5 have Dutch Harbor. We know channel 16 is a, is a channel
6 where we can arrange that. We already know, we already know
7 that.

8 MR. JONES: Well you can raise them but only when
9 you're close enough.

10 CAPTAIN KAILASH SINGH: When we're close enough.

11 MR. JONES: Right.

12 CAPTAIN KAILASH SINGH: But then we have these
13 other means of finding a (indiscernible).

14 MR. JONES: I'm just saying if in pre-voyage
15 planning of those numbers are readily at hand for the course
16 that you're making it might be in the future a quicker
17 reference.

18 CAPTAIN KAILASH SINGH: That is, that is a
19 (indiscernible) but my other concern is I'm, I'm pretty much
20 sure I will get engine (indiscernible) at that time.
21 (Indiscernible) let us get in touch with that of
22 (indiscernible).

23 MR. JONES: I understand. Okay, that's all I
24 have, sir.

25 MR. CURTIS: Brian Curtis again. Based on one

1 area I'm not confident in the engineering time line. I just
2 wanted to clarify late in the day, late at night on the 6th
3 they tried to fire the engine and couldn't. You made your
4 phone calls. Did they stop work later that night because of
5 the weather for some period?

6 CAPTAIN KAILASH SINGH: That was
7 (indiscernible) --

8 MR. CURTIS: Late in the 6th?

9 CAPTAIN KAILASH SINGH: No because still
10 (indiscernible) isolating the (indiscernible) 6-7 like that.
11 Then we started (indiscernible) again. We tried. That was
12 definitely 8:30 or so, in the morning on the 7th.

13 MR. CURTIS: Okay. That continued to hold? Did
14 you try it with just the fuel isolated until about 03:30?

15 CAPTAIN KAILASH SINGH: Yeah, then several tries
16 again. At this time and then (indiscernible) only that time
17 afterwards it started (indiscernible) but not more than 20,
18 32, (indiscernible).

19 MR. CURTIS: And that was --

20 CAPTAIN KAILASH SINGH: Only just (indiscernible)
21 going back to 0.

22 MR. CURTIS: And that was around 03:30?

23 CAPTAIN KAILASH SINGH: 03:30. Probably close to
24 4.

25 MR. CURTIS: Was there --

1 CAPTAIN KAILASH SINGH: Probably 4 or 3:30.

2 MR. CURTIS: Okay. Was there a period where they
3 stopped because of the weather, stopped working?

4 CAPTAIN KAILASH SINGH: Not stopped working.
5 (Indiscernible.)

6 MR. CURTIS: So at 0400 they couldn't start it and
7 they went right to work --

8 CAPTAIN KAILASH SINGH: They started, no, just
9 checking, inspecting these condition on the (indiscernible).

10 MR. CURTIS: So after 0400 they started inspecting
11 the (indiscernible) and then they did that because of the
12 correspondence with the office?

13 CAPTAIN KAILASH SINGH: Yes, the company said stop
14 (indiscernible) let's check the condition of the
15 (indiscernible).

16 MR. CURTIS: Okay, so just to clarify there was no
17 period where they stopped working because of the weather or
18 anything?

19 CAPTAIN KAILASH SINGH: No, no, they were, in fact
20 they had (indiscernible) attempt 3:00, 3:30, even the
21 scavenging space. After 22 and 23 (indiscernible).

22 MR. CURTIS: That's all I have. Thank you.

23 MR. MCPHILAMY: Captain, this is Sean McPhilamy
24 with the Coast Guard. May I ask a couple of questions
25 regarding your transit experience --

1 CAPTAIN KAILASH SINGH: Yes.

2 MR. MCPHILAMY: -- prior to Seattle? You were
3 onboard as master of Selendang Ayu?

4 CAPTAIN KAILASH SINGH: Yes, sir.

5 MR. MCPHILAMY: May I ask transit, where was that
6 from to get to Seattle?

7 CAPTAIN KAILASH SINGH: We had passed
8 (indiscernible).

9 MR. MCPHILAMY: And do you know why this transit
10 was going to, to (indiscernible) straight again, but why was
11 this one south of the (indiscernible) where this transit was
12 north of the (indiscernible)?

13 CAPTAIN KAILASH SINGH: Under the advisement
14 (indiscernible) again. Knowing that we, when we are coming
15 to the U.S.A. (Indiscernible) all the time, when we were
16 going to the U.S.A. And when they are coming back then we
17 have (indiscernible) fall ahead of us. Normally we, normal
18 recommendation is that during the ice conditions it is not
19 recommended to pass through the Bering Sea. But if it is
20 (indiscernible) ice problem it is most (indiscernible) when
21 the weather is normally better in this area so less
22 (indiscernible). So you can have a smooth passage in
23 (indiscernible) very very small passage and (indiscernible)
24 exactly where we had (indiscernible) just one kind of
25 (indiscernible) very very good weather when my

1 (indiscernible).

2 MR. CURTIS: May I ask your experience in this
3 area, of (indiscernible) --

4 CAPTAIN KAILASH SINGH: Yes, sir.

5 MR. CURTIS: How many times have you come through
6 this area?

7 CAPTAIN KAILASH SINGH: I passed through this
8 (indiscernible) of the Bering Sea in 19, in 1990. That time
9 I had come from (indiscernible) but had gone to
10 (indiscernible).

11 MR. CURTIS: So prior to this passage of the
12 United Strait in 1990?

13 CAPTAIN KAILASH SINGH: 1990.

14 MR. CURTIS: Captain, you expressed confidence in
15 isolating the unit on the engine and being able to continue
16 with the voyage.

17 CAPTAIN KAILASH SINGH: That is correct.
18 (Indiscernible.)

19 MR. CURTIS: I correct myself to --

20 CAPTAIN KAILASH SINGH: Yes, thank you. To Dutch
21 Harbor.

22 MR. CURTIS: -- to isolating the unit so that you
23 could get to port of refuge at Dutch Harbor?

24 CAPTAIN KAILASH SINGH: Yes.

25 MR. CURTIS: May I ask why you have this

1 confidence? I have never done it so I don't know what
2 confidence I would have. May I ask your experience?

3 CAPTAIN KAILASH SINGH: We in, on previous
4 occasions we have managed a situation like that. When there
5 (indiscernible) weather is bad we continue in
6 (indiscernible) continue passage whether we wait for the
7 next day or two days (indiscernible) and vessel improved
8 (indiscernible). (Indiscernible) we go maybe 50-70 miles
9 off (indiscernible) while isolating the unit we can move
10 away further from the (indiscernible). It may be that it's
11 (indiscernible) we can go on, we can go on (indiscernible)
12 three times to each port (indiscernible).

13 MR. CURTIS: As master have you experienced a
14 similar problem to this which requirement to isolate?

15 CAPTAIN KAILASH SINGH: That is correct.

16 MR. CURTIS: You have?

17 CAPTAIN KAILASH SINGH: Yes.

18 MR. CURTIS: By a change of topic may I ask your
19 estimation of range of VHF radio channel 16? Did you have
20 good hope of contacting at 100 miles Dutch Harbor?

21 CAPTAIN KAILASH SINGH: I, I cannot be sure I am
22 going to hear from them but the VHF can pick up the
23 (indiscernible) distance.

24 MR. CURTIS: So you had --

25 CAPTAIN KAILASH SINGH: So every time we got an

1 idea that the VHF more than 150 miles off because of the
2 (indiscernible) condition.

3 MR. CURTIS: So you had some hope --

4 CAPTAIN KAILASH SINGH: (Indiscernible) --

5 MR. CURTIS: -- (indiscernible)?

6 CAPTAIN KAILASH SINGH: Like I following example
7 ships had anchored in Bombay, they can, they can
8 (indiscernible) ships in and (indiscernible) quite far.
9 (Indiscernible) distance.

10 MR. CURTIS: On VHF?

11 CAPTAIN KAILASH SINGH: On VHF. (Indiscernible.)

12 MR. CURTIS: Thank you very much, Captain.

13 MR. HOWELLS: This is General Howells. I don't
14 have anything else.

15 MR. LEW: This is Captain Lew, I just would like
16 to correct the remarks that Captain made that the weather
17 forecast recommended him to make (indiscernible) route. I
18 believe he meant marine coast.

19 CAPTAIN KAILASH SINGH: Marine (indiscernible),
20 yeah.

21 MR. LEW: Which is consultancy of providing ocean
22 (indiscernible).

23 Correct me if I'm wrong, Captain. The Marine Corp
24 is not you mentioned -- sorry. Marine Corp you did not
25 mention but the weather forecast given to you by this

1 consultancy tells you that you are going to have good
2 weather in the next few days.

3 CAPTAIN KAILASH SINGH: Correct.

4 MR. LEE: Did he warn you of the (indiscernible)
5 that was coming to this area itself?

6 CAPTAIN KAILASH SINGH: When I sent him a message
7 that my engine has stopped he said please give me the
8 (indiscernible) again, the provision, (indiscernible) then
9 he said for the next 48 hours you are going to experience a
10 gale (indiscernible) threat for the next 48 hours he told
11 me.

12 MR. LEE: But prior to this message did it ever
13 stop --

14 CAPTAIN KAILASH SINGH: (Indiscernible) away from
15 this area. So this forecast was (indiscernible) said I have
16 stopped now (indiscernible) send me another test because
17 next 48 you will really experience the (indiscernible) gale
18 threats. So then even on the top of (indiscernible) we
19 could see (indiscernible) area like this. Like this.

20 MR. LEE: Which means --

21 CAPTAIN KAILASH SINGH: Only certain areas
22 covering the certain gate points of this thing. Not for
23 (indiscernible) only that area there out west.

24 MR. LEE: Which means if the vessel had not
25 stopped you would have proceeded eastward and passed clear

1 of --

2 CAPTAIN KAILASH SINGH: Very small, very small
3 (indiscernible).

4 MR. LEE: -- here and with the (indiscernible)
5 good weather.

6 CAPTAIN KAILASH SINGH: That exactly what I think.
7 Once I entered there I was (indiscernible) very soon I would
8 be approaching the (indiscernible) post.

9 MR. LEW: No further questions.

10 MR. JONES: Captain, Rob Jones again. This is
11 (indiscernible). We'll close it here and I just have one
12 question that now Captain Lew has brought up. The company
13 hires or contracts with a weather service or weather
14 forecasting service per roof. Do you have the, how do you
15 feel that you're obligated to either follow that route or
16 take a different route?

17 CAPTAIN KAILASH SINGH: (Indiscernible) master's
18 decision whether he has to take it or not but this service
19 was provided to me by charters.

20 MR. JONES: Sure.

21 CAPTAIN KAILASH SINGH: (Indiscernible) technical
22 venue.

23 MR. JONES: Okay, by the charters. And --

24 CAPTAIN KAILASH SINGH: (Indiscernible) I had
25 some, some serious reasons consideration at one time this is

1 not safe for me, I shouldn't go along with that because
2 their arrange, (indiscernible).

3 MR. JONES: And if you did change your route would
4 you have to make that known to the charters?

5 CAPTAIN KAILASH SINGH: I have to, no, they ask me
6 that (indiscernible) direct my route (indiscernible) so I
7 normally say okay. I'll do it (indiscernible) route.

8 MR. JONES: Okay. That's all I have Captain.
9 Again I want to thank you for your time and your continued,
10 Captain Lew, still has something to say. Okay?

11 CAPTAIN KAILASH SINGH: But I (indiscernible) --

12 MR. JONES: Go ahead, Captain.

13 MR. LEW: Captain Lew here. At the time when the
14 engine was about to stop the chief engineer, did he
15 communicate with you his intention that he is going to stop
16 the engine?

17 CAPTAIN KAILASH SINGH: Yeah, first
18 (indiscernible) after he came down and then he took that
19 (indiscernible) engine room controller. He was already
20 talking said that I have a serious problem in engine room
21 now. The, (indiscernible) engine room (indiscernible) he
22 said that there's a crack in the number 3 unit liner. So he
23 was already stopping it. There wasn't, at that time there
24 was no solution but to stop it. Because he said that
25 there's a big (indiscernible) of water was coming so he's

1 stopping it.

2 MR. LEW: Do you think the engine could wrap with
3 the liner (indiscernible)?

4 CAPTAIN KAILASH SINGH: (Indiscernible) vessel, I
5 am not aware. I don't think so. I don't think any chief
6 engineer is allowed but I don't think it can be done
7 regardless of (indiscernible) if you are under grave danger
8 like (indiscernible) if you stop (indiscernible) then maybe
9 we can take chance but I (indiscernible) cannot. Many times
10 the chief engineer (indiscernible) I want to stop engine I
11 said no, you can't stop it because (indiscernible) already
12 in danger of stop working so I cannot. (Indiscernible) for
13 him to (indiscernible) there's no danger (indiscernible).

14 MR. LEW: So you fully agreed (indiscernible) --

15 CAPTAIN KAILASH SINGH: That is correct. We
16 (indiscernible).

17 MR. LEW: Okay. Thank you.

18 MR. JONES: Captain, I apologize because I was
19 trying to sign off but let me just, just because of the
20 incident we are just trying to get everybody's thinking with
21 -- the Sidney Foss has a hell of a view at this position.

22 CAPTAIN KAILASH SINGH: That's right.

23 MR. JONES: The engineer was working on the
24 engine.

25 CAPTAIN KAILASH SINGH: That's right.

1 MR. JONES: You continued to drift towards danger.

2 CAPTAIN KAILASH SINGH: That's right.

3 MR. JONES: At 2400 the evening of the 7th and 8th
4 the Sidney Foss still has a hold of you.

5 CAPTAIN KAILASH SINGH: That's right.

6 MR. JONES: But you're not making any way away
7 from the danger. You continue to close with the coast. The
8 Alex Hailey is on scene.

9 CAPTAIN KAILASH SINGH: That's right.

10 MR. JONES: Engine room repairs continue. Did,
11 did you ever think that it's not getting better --

12 CAPTAIN KAILASH SINGH: Correct.

13 MR. JONES: -- it continues to get worse, but
14 other than that did you call out and say oh, say anything to
15 try to arrest, to try to stop the situation from
16 increasingly getting worse? Because the, obviously the
17 weather is bad, the tug has aligned to you but no positive
18 results are coming from everything that's being done right
19 now.

20 CAPTAIN KAILASH SINGH: No. The Alex Hailey
21 (indiscernible) is on already in the dangerous, it is
22 (indiscernible). She's in touch with the Sidney Foss and
23 I'm speaking to Sidney Foss. I said that we are not getting
24 away from the danger. We are closing, we need to do
25 something. He said that he's think, he has a couple of

1 options. We were to, he's waiting for the daylight. I said
2 why not send one line to the other side, he said that one of
3 my options. I said what other option do you have, in case
4 that (indiscernible) made for us what else can we do. He
5 said I have, I said one option is (indiscernible) as
6 anchors. I said (indiscernible).

7 MR. JONES: For what, sorry to interrupt Captain
8 but we're just, we're still pretty far away from the coast
9 where anchors are even close to being used and available and
10 the only options up here once the tug line is on is -- and I
11 know your conversations with the Sidney Foss and the
12 weather, I'm just wondering if you had said anything over
13 the radio to any of the, any of the vessels to try to come
14 up with other scenarios or were you trying to come up with
15 other scenarios? How does the situation just keeps walking
16 itself further and further to the coast?

17 CAPTAIN KAILASH SINGH: (Indiscernible) other line
18 parted there Sidney Foss was suddenly around me, 7:30-8. He
19 said my line is (indiscernible) and I have no other line.
20 Then he said he is going to leave supplies and try to send
21 me the line hooks again. Then after that I had asked James
22 Dunlap. They said what is that, they cannot assess me.
23 Then around 10:00 they don't come close. They said they
24 cannot assess people. Around 10:00 they contact the Alex
25 Hailey that since you are (indiscernible) I presume he said

1 some (indiscernible), I don't know how he phrased the word.
2 He said (indiscernible). But then I asked him for passing
3 me the towline and he said he cannot risk his people. But I
4 had that.

5 MR. JONES: Okay.

6 CAPTAIN KAILASH SINGH: But as I was
7 (indiscernible) the Sidney Foss had moved a little bit away
8 but could closer to me was James Dunlap. She was standing
9 by but she did not want to risk her people.

10 MR. JONES: Okay. Captain --

11 CAPTAIN KAILASH SINGH: Those (indiscernible)
12 coming.

13 MR. JONES: Captain, this, okay Captain, that's
14 all. I just, it's -- okay that's all, Captain. I
15 appreciate your time again and I think we've taken enough of
16 your time. We do appreciate all of your insight into the,
17 into the incident. Thank you very much.

18 CAPTAIN KAILASH SINGH: Thank you.

19 (Whereupon, at 2:26 p.m., the interview was
20 concluded.)

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C E R T I F I C A T E

DEPOSITION SERVICES, INC., hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings of the National Transportation Safety Board Interview regarding the grounding of the Selendang Ayu on December 17, 2004.

INTERVIEW OF CAPTAIN KAILASH SINGH

Donna Henry, Transcriber